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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,014	10/24/2003	Matthew Paul Rhoten	5486-0204PUS1	8518
67321 7590 09/25/2007 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			EXAMINER CHAI, LONGBIT	
			ART UNIT 2131	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/692,014

Applicant(s)

RHOTEN ET AL.

Examiner

Longbit Chai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 21-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-11 and 21-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Currently pending claims are 1 – 11 and 21 – 23.

### ***Response to Arguments***

2. Applicant's arguments with respect to instant claims have been fully considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 22 recites the limitation "a second storage" and "a second file". There is insufficient antecedent basis for this limitation in the base claim recited as "a first storage" and "a first file".

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1, 4, 10, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274).

As per claim 1 and 4, Gottsman teaches a computer device comprising:

a storage having at least one file (Gottsman : Para [0118]: a text file);

a processor controlling a secure state and an insecure state of said system, said processor having at least one application that accesses said file while said computer device is in said insecure state (Gottsman : Para [0116] Line 9 – 15: the screen saver mode is interpreted as a insecure state and an application allows the user to rapidly obtain the meeting information).

However, Gottsman does not disclose expressly wherein the computer device transitions from a standby state directly to the insecure state, and wherein transitions from the insecure state to the secure state are controlled based on a user login independent of said at least one application.

Bajikar teaches the computer device transitions from a standby state directly to the insecure state, and wherein transitions from the insecure state to the secure state are controlled based on a user login (Bajikar: Column 3 Line 59 – 63: (a) the state during a pre-determined idle time prior to entering the screen saver is qualified as a “standby state”, where the state of screen saver is a “insecure state” and (b) transitions from the insecure state (screen saver) to the secure state are controlled based on a user login “passwords” to re-authenticate the user to re-enter the secured state).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Bajikar within the system of Gottsman because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godfrey teaches

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requiring a user login "passwords" to re-authenticate the user to re-enter the secured mode from the insecure screen saver mode (Bajikar: Column 3 Line 59 – 63).

As per claim 10, Gottsman as modified teaches a storage for storing information when said system is in said secure state, said information originating from said application interacted with while said system was in said insecure state (Bajikar: Column 3 Line 59 – 63: transitions from the insecure state (screen saver) to the secure state are controlled based on a user login "passwords" to re-authenticate the user to re-enter the secured state – i.e. a storage for storing password information).

As per claim 21 and 23, Gottsman as modified teaches the computer device being a personal digital assistant (PDA) (Bajikar: Column 3 Line 59 – 63: (a) Bajikar teaches the computer device is a mobile device and (b) Official Notice is taken that the use of PDA is a well-known portable computer technology in the field. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use PDA as a mobile device within the system of Bajikar).

5. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274, and in view of Godfrey et al. (U.S. Patent 6,463,463).

As per claim 2 and 11, Gottsman as modified does not disclose expressly said application being a calendaring program that displays calendar data from said file.

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Godfrey teaches said application being a calendaring program that displays calendar data from said file (Godfrey : Column 21 Line 9 – 12: the meeting request information contained in the file attachment of the eMail message can be displayed by the calendaring program application).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godfrey within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godfrey teaches the meeting request information contained in the file attachment of the eMail message can be displayed by the calendaring program application (Godfrey : Column 21 Line 9 – 12).

6. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Shimizu (JP 410340146A).

As per claim 3 and 8, Gottsman as modified does not disclose expressly said application being a calculator program.

Shimizu teaches said application being a calculator program (Shimizu: the sections of Abstract & Solution: the real working time of a personal computer is calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health – thereby “calculator program” must be included for calculating purpose).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godfrey within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the information as needed during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Shimizu teaches the real working time of a personal computer can be calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health (Shimizu: the sections of Abstract & Solution).

7. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Chiu et al. (U.S. Patent 2002/0161804).

As per claim 5, Gottsman as modified does not disclose expressly said application is a note taking application for receiving textual notes.

Chiu teaches said application is a note taking application for receiving textual notes (Chiu : Para [0006]: the meeting minutes information includes text file).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Chiu within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Chiu teaches the meeting information includes an text-based file (Chiu : Para [0006]).

As per claim 6, Gottsman as modified does not disclose expressly said application is a note taking application for receiving handwritten notes in electronic ink.

Chiu teaches said application is a note taking application for receiving handwritten notes in electronic ink (Chiu : Para [0006] and Para [0012]: electronic / digital ink can be used as meeting notes beside the text-based file).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Chiu within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Chiu teaches the meeting information includes an electronic note taking application such as electronic / digital ink (Chiu : Para [0006] and Para [0012]).

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Ng (U.S. Patent 6,903,743).

As per claim 7, Gottsman as modified does not disclose expressly said application is a voice recording application.

Ng teaches said application is a voice recording application (Ng : Column 1 Line 64).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ng within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b)



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Ng teaches allowing the user to access a voice recording application during the insecure screen saver mode (Ng : Column 1 Line 64).

9. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Shimizu (JP 410340146A).

As per claim 3 and 8, Gottsman as modified does not disclose expressly said application being a calculator program.

Shimizu teaches said application being a calculator program (Shimizu: the sections of Abstract & Solution: the real working time of a personal computer is calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health – thereby “calculator program” must be included for calculating purpose).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godfrey within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the information as needed during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Shimizu teaches the real working time of a personal computer can be calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health (Shimizu: the sections of Abstract & Solution).

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10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Kim (Korea Patent KR-2002/033294).

As per claim 9, Gottsman as modified does not disclose expressly said application is a game.

Kim teaches said application is a game (Kim : section of Novelty).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Kim within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Kim teaches allowing the user to access a computer game application during the insecure screen saver mode (Kim : section of Novelty).

11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274, and in view of Godefroid et al. (U.S. Patent 6,697,840).

As per claim 22, Gottsman as modified does not disclose expressly the storage is synchronized with information in a second storage, said second storage having a second file accessed by an application while the computer device is in the secure state.

Godefroid teaches the storage is synchronized with information in a second storage, said second storage having a second file accessed by an application while the computer device is in the secure state (Godefroid: Column 5 Line 9 – 14 / Line 1 – 2: the screen saver activity is

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automatically generated (and temporarily saved) by the user interface and can be explicitly updated (i.e. synchronized) this presence / activity information by logging to the computer (i.e. secured state)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godefroid within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godefroid teaches the screen saver activity is automatically generated (and temporarily saved) by the user interface and can be explicitly updated (i.e. synchronized) this presence / activity information by logging to the computer (i.e. secured state) (Godefroid: Column 5 Line 9 – 14 / Line 1 – 2).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 2131

  
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